DECLARATION OF OIL AND GAS NOTICE

(Tax Map 13, Webster District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.

KEVIN ELLISPO
PO BOX 1616
MORGANTOWN, WV 26507-1616

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY
CONSOL PENNSYLVANIA COAL COMPANY LLC
RESERVE COAL PROPERTIES COMPANY
CONSOLIDATION COAL COMPANY
McELROY COAL COMPANY
CNX LAND RESOURCES INC.

C/O LEATHERWOOD, INC.
1000 CONSOL ENERGY DRIVE
CANONSBURG, PA 15317-6506

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 16 day of JANUARY, ~~2008~~ 2009, by **DENNIS R. McCRACKEN**, its ASST. MANAGER, by authority duly given.

JAN PEST
MARSHALL County 01:48:14 PM
Instrument No 1266320
Date Recorded 03/23/2009
Document Type O&G
Book-Page 678-280
Recording Fee $6.00
Additional $6.00

CONRHEIN COAL COMPANY
a Pennsylvania corporation:

By: _____

Its: ASSISTANT MANAGER

IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 16 day of JANUARY, 2009 ~~2008~~, by ROBERT P. KING, its VICE PRESIDENT, by authority duly given.

CONSOLIDATION COAL COMPANY
a Delaware corporation:

By: _____

Its: VICE PRESIDENT

IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 16 day of JANUARY, 2009 ~~2008~~, by ROBERT P. KING, its VICE PRESIDENT, by authority duly given.

CONSOL PENNSYLVANIA COAL COMPANY LLC
a Delaware limited liability company:

By: _____

Its: VICE PRESIDENT

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 16 day of JANUARY, 2009 ~~2008~~, by DENNIS R. McCRACKEN, its VICE PRESIDENT, by authority duly given.

RESERVE COAL PROPERTIES COMPANY
a Delaware corporation:

By: _____

Its: VICE PRESIDENT

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 10 day of DECEMBER, 2008, by CHARLES T. SHAYNAK, its VICE PRESIDENT, by authority duly given.

MCELROY COAL COMPANY
a Delaware corporation:

By: _____

Its: VICE PRESIDENT

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 16 day of JANUARY, ~~2008~~ 2009, by DENNIS R. McCRACKEN, its VICE PRESIDENT, by authority duly given.

CNX LAND RESOURCES INC.
a Delaware corporation:

By: _____

Its: VICE PRESIDENT

NOTE: PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared DENNIS R. McCRACKEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the ASST. MANAGER of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 16 day of JANUARY, ~~2008.~~ 2009

(SEAL)
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Jane M. Young, Notary Public
Cecil Twp., Washington County
My Commission Expires June 20, 2009
Member, Pennsylvania Association of Notaries

Notary Public

My Commission expires _____

COMMONWEALTH OF PENNSYLVANIA COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KING, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 16 day of JANUARY, ~~2008.~~ 2009

(SEAL)
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Jane M. Young, Notary Public
Cecil Twp., Washington County
My Commission Expires June 20, 2009
Member, Pennsylvania Association of Notaries

Notary Public

My Commission expires _____

5032146

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KING, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 16 day of JANUARY, ~~2008~~. 2009

(SEAL)
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Jane M. Young, Notary Public
Cecil Twp., Washington County
My Commission Expires June 20, 2009
Member, Pennsylvania Association of Notaries

Jane M. Young
Notary Public

My Commission expires _____

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M YOUNG, a Notary Public, on this day personally appeared DENNIS R. McCRACKEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 16 day of JANUARY, ~~2008~~. 2009

COMMONWEALTH OF PENNSYLVANIA
(SEAL) Notarial Seal
Jane M. Young, Notary Public
Cecil Twp., Washington County
My Commission Expires June 20, 2009
Member, Pennsylvania Association of Notaries

Jane M. Young
Notary Public

My Commission expires _____

~~COMMONWEALTH OF PENNSYLVANIA~~ STATE OF WEST VIRGINIA

COUNTY OF MARSHALL

Before me, ANTHONY M. DREZEWSKI, a Notary Public, on this day personally appeared CHARLES T. SNAVELY, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 10 day of DECEMBER, 2008.

(SEAL)
OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
ANTHONY M. DREZEWSKI
CNX LAND RESOURCES, INC.
RD #4 BOX 425
MOUNDSVILLE, WV 26041
My commission expires September 18, 2017

Anthony M. Drezewski
Notary Public

My Commission expires SEPTEMBER 18, 2017

5032146

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared DENNIS R. McCRACKEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 16 day of JANUARY, ~~2008~~. 2009

(SEAL)

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Jane M. Young, Notary Public
Cecil Twp., Washington County
My Commission Expires June 20, 2009
Member, Pennsylvania Association of Notaries

Jane M Young
Notary Public

My Commission expires _____

This Document Prepared By:
J. Kevin Ellis
WV Bar No. 9964
Steptoe & Johnson PLLC
1085 Van Voorhis Road
PO BOX 1616
Morgantown, WV 26507
(304) 598-8000

5032146

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EXHIBIT A - SURFACE TRACTS (BAILEY MINE)
Tax Map 13, Webster District, Marshall County, West Virginia

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
13	2	SHOOK	GAYEL V	RR 4 BOX 224	CAMERON	WV	26033	97.978 WOLF RUN & O&G	323/21
13	6	ZIEN	PHYLLIS - LIFE	RR 4 BOX 223	CAMERON	WV	26033	96.701 WOLF RUN & O&G	WB 73/336
13	8	WEST	ROY LEE & REXINE E	RR 4 BOX 225	CAMERON	WV	26033	155.391 WAYNESBURG ROAD O&G	374/421
13	8.3	BUZZARD	BRYAN T ET UX	RR 4 BOX 216A	CAMERON	WV	26033	5.429 WAYNESBURG ROAD	522/219
13	9	BUTLER	DENZIL R & VICTOR L	RR 4 BOX 210	CAMERON	WV	26033	86.53 BEELER STATION	635/492
13	10	ZIEN	PHYLLIS - LIFE	RR 4 BOX 223	CAMERON	WV	26033	168.51 WOLF RUN	WB73/336
13	11	STEWART	JOE M. & EVIS MURPHY	RR 4 BOX 362	CAMERON	WV	26033	143.28 WOLF RUN	145/438
13	12	HEWITT	MARTIN ET UX	RR 1 BOX 491	MOUNDSVILLE	WV	26041	52 WOLF RUN CAMP	573/569
13	13	WHIPKEY	JEFFREY C & DEBRA A	RR 4 BOX 52A	CAMERON	WV	26033	36.4 A WOLF RUN	658/309
13	17	WOLF RUN BAPTIST CHURCH			MOUNDSVILLE	WV	26041	LOT WOLF RUN	399/308
13	18	SWANN	DAVID C & GUY ROY	RR 4 BOX 52	CAMERON	WV	26033	22.919 WOLF RUN	600/343
13	18.1	TOKAR	ROBERT	RR 4 BOX 52D	CAMERON	WV	26033	6.612 A WOLF RUN 2002 MOBILE HOME	632/454
13	21	COFFIELD	HAROLD DALE ET UX	102 SANDY AVE	MOUNDSVILLE	WV	26041	166.61 A WOLF RUN	394/523
13	22	WHIPKEY	PAUL L ET AL	RR 1 BOX 251	MOUNDSVILLE	WV	26041	66.84 WOLF RUN	477/83
13	23	DUNN	DOROTHY ANN	RR 5 BOX 219	MOUNDSVILLE	WV	26041	51.47 WOLF RUN	WB78/341
13	24	DUNN	DOROTHY ANN	RR 5 BOX 219	MOUNDSVILLE	WV	26041	50.21 WOLF RUN	WB78/341
13	25	POLINSKI	KEVIN LEE ET UX	RR 4 BOX 61	CAMERON	WV	26033	50.14 WOLF RUN	611/461

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 16th day of January 2009, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 23rd day of March 2009 at 1:48 o'clock P.M.

TESTE: _____ Clerk.

CFS 5M 12-08